

REMARKS

Claims 1-4, 6-9, 11, and 12 are pending in this application.

Applicants have amended claims 1, 6, 11, and 12. The changes to the claims made herein do not introduce any new matter.

Rejection Under 35 U.S.C. § 101

Applicants respectfully request reconsideration of the rejection of claims 6-9 and 11 under 35 U.S.C. § 101. Applicants have amended each of independent claims 6 and 11 to specify that each of the steps of the method is executed by a microprocessor. Thus, present claims 6 and 11 define statutory subject matter under 35 U.S.C. § 101. Accordingly, Applicants request that the rejection of claims 6-9 and 11 under 35 U.S.C. § 101 be withdrawn.

Rejections Under 35 U.S.C. § 103

Applicants respectfully request reconsideration of the rejection of claims 1-4, 6-9, 11, and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Arai et al.* (“*Arai*”) (US 5,929,906) in view of *Takahashi et al.* (“*Takahashi*”) (US 6,987,567 B2), *Yamamoto* (US 2002/0158933 A1), and *Yamazaki et al.* (“*Yamazaki*”) (US 2003/0218656 A1). As will be explained in more detail below, the combination of *Arai* in view of *Takahashi*, *Yamamoto*, and *Yamazaki* would not have rendered the subject matter defined in independent claims 1, 6, 11, and 12, as amended herein, obvious to one having ordinary skill in the art.

Applicants have amended each of independent claims 1, 6, 11, and 12 to specify that the image quality index is “a function of both of a graininess index (GI) indicating graininess of a print and an ink amount index indicating an ink usage amount of colorant inks.”

In support of the obviousness rejection, the Examiner relies upon the *Yamazaki* reference as teaching an image quality index including an ink amount index indicating an ink usage amount (see the Office Action at page 13). The *Yamazaki* reference, however, does not

disclose or suggest an ink amount index indicating an ink usage amount of *colorant inks*. Instead, *Yamazaki* teaches that image quality is improved by adjusting an amount of quality enhancing ink. The quality enhancing ink is in fact a colorless transparent liquid which enhances the color development of the other inks having colorants as described in Paragraph [0071] of *Yamazaki*. Consequently, the *Yamazaki* reference would not have suggested to one having ordinary skill in the art the use of an image quality index that is a function of an ink amount index indicating an ink usage amount of *colorant inks*.

Thus, even if one having ordinary skill in the art were to combine the *Arai*, *Takahashi*, *Yamamoto*, and *Yamazaki* references in the manner proposed by the Examiner, this combination would not have resulted in each and every feature of the subject matter defined in present claims 1, 6, 11, and 12. Accordingly, the combination of *Arai* in view of *Takahashi*, *Yamamoto*, and *Yamazaki* would not have rendered the subject matter defined in present claims 1, 6, 11, and 12 obvious to one having ordinary skill in the art.

Accordingly, independent claims 1, 6, 11, and 12, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Arai* in view of *Takahashi*, *Yamamoto*, and *Yamazaki*. Claims 2-4, each of which depends from claim 1, and claims 7-9, each of which depends from claim 6, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Arai* in view of *Takahashi*, *Yamamoto*, and *Yamazaki* for at least the same reasons set forth above regarding the applicable independent claim.

Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 1-4, 6-9, 11, and 12, as amended herein, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in

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connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP062).

Respectfully submitted,
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